

ANNUAL SYNAR REPORT

42 U.S.C. 300x-26

OMB № 0930-0222

FFY 2013

State: Louisiana

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INTRODUCTION

The Annual Synar Report (ASR) format provides the means for States to comply with the reporting provisions of the Public Health Service Act (42 U.S.C. 300x-26) and the Tobacco Regulation for the SAPT Block Grant (45 C.F.R. 96.130 (e)).

Public reporting burden for the collection of information is estimated to average 15 hours for Section I and 3 hours for Section II, including the time for reviewing instructions, completing and reviewing the collection of information, searching existing data sources, and gathering and maintaining the data needed. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to SAMHSA Reports Clearance Officer; Paperwork Reduction Project; 1 Choke Cherry Road, 7th Floor Rockville, Maryland 20857.

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control number for this project is 0930-0222 with an expiration date of 05-31-2013.

How the Synar report helps the Center for Substance Abuse Prevention

In accordance with the tobacco regulations, States are required to provide detailed information on progress made in enforcing youth tobacco access laws (FFY 2012 Compliance Progress) and future plans to ensure compliance with the Synar requirements to reduce youth tobacco access rates (FFY 2013 Intended Use Plan). These data are required by 42 U.S.C. 300x-26 and will be used by the Secretary to evaluate State compliance with the statute. Part of the mission of the Center for Substance Abuse Prevention (CSAP) is to assist States¹ by supporting Synar activities and providing technical assistance helpful in determining the type of enforcement measures and control strategies that are most effective. This information is helpful to CSAP in improving technical assistance resources and expertise on enforcement efforts and tobacco control program support activities, including State Synar Program support services, through an enhanced technical assistance program involving conferences and workshops, development of training materials and guidance documents, and onsite technical assistance consultation.

How the Synar report can help States

The information gathered for the Synar report can help States describe and analyze substate needs for program enhancements. These data can also be used to report to the State legislature and other State and local organizations on progress made to date in enforcing youth tobacco access laws when aggregated statistical data from State Synar reports can demonstrate to the Secretary the national progress in reducing youth tobacco access problems. This information will also provide Congress with a better understanding of State progress in implementing Synar, including State difficulties and successes in enforcing retailer compliance with youth tobacco access laws.

¹The term “State” is used to refer to all the States and territories required to comply with Synar as part of the Substance Abuse Prevention and Treatment Block Grant Program requirements (42 U.S.C. 300x-64 and 45 C.F.R. 96.121).

Getting assistance in completing the Synar report

If you have questions about programmatic issues, you may call CSAP's Division of State Programs at (240) 276-2413 and ask for your respective State Project Officer, or contact your State Project Officer directly by telephone or email. If you have questions about fiscal or grants management issues, you may call the Grants Management Officer, Office of Program Services, Division of Grants Management, at (240) 276-1422.

Where and when to submit the Synar report

The Annual Synar Report (ASR) must be received by SAMHSA no later than December 31, 2012. The ASR must be submitted in the **approved OMB report format**. Use of the approved format will avoid delays in the review and approval process. The chief executive officer (or an authorized designee) of the applicant organization must sign page 1 of the ASR certifying that the State has complied with all reporting requirements.

The State must upload one copy of the ASR using the online WebBGAS (Block Grant Application System). In addition, the following items must be uploaded to WebBGAS:

- FFY 2013 Synar Survey Results: States that use the Synar Survey Estimation System (SSES) must upload one copy of SSES Tables 1–5 (in Excel) to WebBGAS. States that do not use SSES must upload one copy of ASR Forms 1, 4, and 5, and Forms 2 and 3, if applicable, (in Excel) to WebBGAS.
- Synar Inspection Form: States must upload one blank copy of the inspection form used to record the result of each Synar inspection.
- Synar Inspection Protocol: States must upload a copy of the protocol used to train inspection teams on conducting and reporting the results of the Synar inspections.

Each State SSA Director has been emailed a login ID and password to log onto the Synar section of the WebBGAS site.

Additionally, the State must submit one signed original of the report (including the signed Funding Agreements/Certifications), as well as one additional copy of the signed Funding Agreements/Certifications, to the Grants Management Officer at the address below:

Grants Management Officer
Office of Program Services
Division of Grants Management
Substance Abuse and Mental Health Services Administration

Regular Mail:

1 Choke Cherry Road, Rm.7-1091
Rockville, Maryland 20857

Overnight Mail:

1 Choke Cherry Road, Rm.7-1091
Rockville, Maryland 20850

FFY 2013: FUNDING AGREEMENTS/CERTIFICATIONS

The following form must be signed by the Chief Executive Officer or an authorized designee and submitted with this application. Documentation authorizing a designee must be attached to the application.

PUBLIC HEALTH SERVICES ACT AND SYNAR AMENDMENT

42 U.S.C. 300x-26 requires each State to submit an annual report of its progress in meeting the requirements of the Synar Amendment and its implementing regulation (45 C.F.R. 96.130) to the Secretary of the Department of Health and Human Services. By signing below, the chief executive officer (or an authorized designee) of the applicant organization certifies that the State has complied with these reporting requirements and the certifications as set forth below.

SYNAR SURVEY SAMPLING METHODOLOGY

The State certifies that the Synar survey sampling methodology on file with the Center for Substance Abuse Prevention and submitted with the Annual Synar Report for FFY 2013 is up-to-date and approved by the Center for Substance Abuse Prevention.

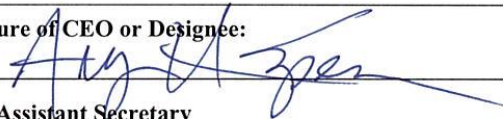
SYNAR SURVEY INSPECTION PROTOCOL

The State certifies that the Synar Survey Inspection Protocol on file with the Center for Substance Abuse Prevention and submitted with the Annual Synar Report for FFY 2013 is up-to-date and approved by the Center for Substance Abuse Prevention.

State: Louisiana

Name of Chief Executive Officer or Designee: Anthony H. Speier, Ph.D.

Signature of CEO or Designee:



Title: Assistant Secretary

Date Signed:

12/19/12

If signed by a designee, a copy of the designation must be attached.

SECTION I: FFY 2012 (Compliance Progress)

YOUTH ACCESS LAWS, ACTIVITIES, AND ENFORCEMENT

42 U.S.C. 300x-26 requires the States to report information regarding the sale/distribution of tobacco products to individuals under age 18.

- 1. Please indicate any changes or additions to the State tobacco statute(s) relating to youth access since the last reporting year. If any changes were made to the State law(s) since the last reporting year, please attach a photocopy of the law to the hard copy of the ASR and also upload a copy of the State law to WebBGAS. (see 42 U.S.C. 300x-26).**

- a. Has there been a change in the *minimum sale age* for tobacco products?**

☐ Yes ☒ No

If Yes, current minimum age: ☐ 19 ☐ 20 ☐ 21

- b. Have there been any changes in State law that impact the State's *protocol for conducting Synar inspections*? ☐ Yes ☒ No**

If Yes, indicate change. (Check all that apply.)

- ☐ Changed to require that law enforcement conduct inspections of tobacco outlets
☐ Changed to make it illegal for youth to possess, purchase or receive tobacco
☐ Changed to require ID to purchase tobacco
☐ Other change(s) (Please describe.) _____

- c. Have there been any changes in the law concerning *vending machines*?**

☐ Yes ☒ No

If Yes, indicate change. (Check all that apply.)

- ☐ Total ban enacted
☐ Banned from location(s) accessible to youth
☐ Locking device or supervision required
☐ Other change(s) (Please describe.) _____

- d. Have there been any changes in State law that impact the following?**

Licensing of tobacco vendors ☐ Yes ☒ No

Penalties for sales to minors ☐ Yes ☒ No

- 2. Describe how the Annual Synar Report (see 45 C.F.R. 96.130(e)) and the State Plan (see 42 U.S.C. 300x-51) were made public within the State prior to submission of the ASR. (Check all that apply.)**

☒ Placed on file for public review

☒ Posted on a State agency Web site (Please provide exact Web address and the date when the FFY 2013 ASR was posted to this Web address.)

- ☐ Notice published in a newspaper or newsletter
- ☐ Public hearing
- ☐ Announced in a news release, a press conference, or discussed in a media interview
- ☐ Distributed for review as part of the SAPT Block Grant application process
- ☐ Distributed through the public library system
- ☐ Published in an annual register
- ☐ Other (Please describe.) _____

3. Identify the following agency or agencies (see 42 U.S.C. 300x-26 and 45 C.F.R. 96.130).

a. The State agency(ies) designated by the Governor for oversight of the Synar requirements:

Department of Health and Hospitals Office of Behavioral Health (OBH)

Has this changed since last year's Annual Synar Report? ☐ Yes ☒ No

b. The State agency(ies) responsible for conducting random, unannounced Synar inspections:

LA Department of Revenue Office of Alcohol and Tobacco Control (OATC)

Has this changed since last year's Annual Synar Report? ☐ Yes ☒ No

c. The State agency(ies) responsible for enforcing youth tobacco access law(s):

LA Department of Revenue Office of Alcohol and Tobacco Control (OATC)

Has this changed since last year's Annual Synar Report? ☐ Yes ☒ No

4. Identify the State agency responsible for tobacco prevention activities (the agency that receives the Centers for Disease Control and Prevention's National Tobacco Control Program funding).

LA Department of Health and Hospitals, Bureau of Primary Care and Rural Health, Disease Prevention and Control Unit, Tobacco Control Program

Has the responsible agency changed since last year's Annual Synar Report?

☐ Yes ☒ No

a. Describe the coordination and collaboration that occur between the agency responsible for tobacco prevention and the agency responsible for oversight of the Synar requirements. (Check all that apply.) The two agencies

- ☐ Are the same
- ☐ Have a formal written memorandum of agreement
- ☐ Have an informal partnership
- ☒ Conduct joint planning activities
- ☒ Combine resources

☐ Have other collaborative arrangement(s) (*Please describe.*) _____

5. Please answer the following questions regarding the State's activities to enforce the youth access to tobacco law(s) in FFY 2012 (see 42 U.S.C. 300x-26 and 45 C.F.R. 96.130(e)).

a. Which one of the following describes the enforcement of youth access to tobacco laws carried out in your State? (*Check one category only.*)

- ☐ Enforcement is conducted exclusively by local law enforcement agencies.
☒ Enforcement is conducted exclusively by State agency(ies).
☐ Enforcement is conducted by both local *and* State agencies.

b. The following items concern penalties imposed for violations of youth access to tobacco laws by LOCAL AND/OR STATE LAW ENFORCEMENT AGENCIES. Please fill in the number requested. If State law does not allow for an item, please mark "NA" (not applicable). If a response for an item is unknown, please mark "UNK." The chart must be filled in completely.

| PENALTY | OWNERS | CLERKS | TOTAL |
|---|----------|--------|-------|
| Number of <u>citations issued</u> | 377 | 377 | 754 |
| Number of <u>finest assessed</u> | 71 known | UNK | UNK |
| Number of <u>permits/licenses suspended</u> | 0 | | 0 |
| Number of <u>permits/licenses revoked</u> | 0 | | 0 |

| | | |
|--|--|--|
| <p>Other (Please describe.)</p> <p>OATC conducted 5,791 tobacco compliance checks from July 1, 2011 to June 30, 2012. As indicated above, 754 citations were issued. These were a result of 377 tobacco sales. Each time a merchant is found to be in violation of the law, a citation is issued to the store owner and the clerk who made the sale. Store owners are issued an administrative citation and store clerks are cited criminally. OATC handles all administrative violations for store owners and records are kept by case file at OATC.</p> <p>Criminal citations for clerks are turned over to the District Attorney within the parish where the citation was issued and are adjudicated within the court system of that parish.</p> <p>OATC tracked and provided OBH with the disposition of owner violations that occurred during the FFY 2012 Annual Synar Report (ASR) and for OBH funded compliance checks. During the timeframe of July 1, 2010 through June 30, 2011, there were 40 fines assessed to store owners as follows:</p> <ul style="list-style-type: none"> o 1 at \$200.00, o 4 at \$250.00, o 4 at \$400.00, o 1 at \$575.00, o 1 at \$675.00, o 3 at \$750.00, and o 26 fine amounts were unavailable. <p>In addition, 66 merchants were issued Responsible Vendor Warnings, and 10 cases are still pending.</p> | | |
|--|--|--|

- c. Which one of the following best describes the level of enforcement of youth access to tobacco laws carried out in your State? (Check one category only.)
- ☐ Enforcement is conducted only at those outlets randomly selected for the Synar survey.
- ☐ Enforcement is conducted only at a subset of outlets not randomly selected for the Synar survey.
- ☒ Enforcement is conducted at a combination of outlets randomly selected for the Synar survey and outlets not randomly selected for the Synar survey.
- d. Did every tobacco outlet in the State receive at least one enforcement compliance check in the last year?
- ☐ Yes
- ☒ No
- e. What additional activities are conducted in your State to support enforcement

and compliance with State tobacco access law(s)? *(Check all that apply.)*

- ☒ Merchant education and/or training
- ☒ Incentives for merchants who are in compliance (e.g., nonenforcement compliance checks in which compliant retailers are given positive reinforcement and noncompliant retailers are warned about youth access laws)
- ☒ Community education regarding youth access laws
- ☒ Media use to publicize compliance inspection results
- ☒ Community mobilization to increase support for retailer compliance with youth access laws
- ☐ Other activities *(Please list.)* _____

Briefly describe all checked activities:

MERCHANT EDUCATION AND/OR TRAINING

A Synar Contractor was funded in each of the 10 OBH administrative regions in the state. An important role of the Synar Contractor has been to train and supervise youth volunteers to conduct unconsummated compliance checks. A total of 4,361 unconsummated compliance checks were conducted from July 1, 2011 to June 30, 2012 to include the following:

523 in Region 1

399 in Region 2

458 in Region 3

413 in Region 4

422 in Region 5

425 in Region 6

353 in Region 7

301 in Region 8

663 in Region 9

404 in Region 10

Of the unconsummated compliance checks completed, 94% were unwilling to sell and 6% were willing to sell.

During unconsummated compliance checks, these merchants were provided Thank You and No Thank You cards, educational cards, and certificates as appropriate. Each merchant, where an unconsummated compliance check was conducted, was also provided an educational packet including written materials, window decals, and stickers regarding the current laws and goals of the Synar Amendment.

INCENTIVES FOR MERCHANTS WHO ARE IN COMPLIANCE (e.g., Reward and Reminder)

During unconsummated compliance checks conducted by Synar contractors, merchants were provided Thank You and No Thank You cards, educational cards, and certificates as rewards or reminders. During routine, consummated compliance checks conducted by agents of the Office of Alcohol and Tobacco Control, merchants who are found in violation were issued administrative and criminal citations. Those that were found to be compliant with the law received a letter of appreciation by mail signed by the Commissioner of the Office of Alcohol and Tobacco Control.

COMMUNITY EDUCATION REGARDING YOUTH ACCESS LAWS

The Office of Behavioral Health is the single state authority for the treatment and prevention of substance abuse (NASADAD) as well as being the agency responsible for Synar implementation. OBH used SAPT Block Grant funds to contract with primary prevention providers. These contractors provided services in the programmatic areas of Information Dissemination, Education, Alternative Activities, Problem Identification and Referral, Community-based Process and Environmental. All contractors were required to address the prevention of alcohol, tobacco, and other drugs (ATOD).

MEDIA USE TO PUBLICIZE COMPLIANCE INSPECTION RESULTS

The Office of Behavioral Health posted the results of the FFY 2011 Annual Synar Report on its website. A copy of the FFY 2012 Annual Synar Report can be viewed at <http://www.dhh.la.gov/assets/docs/BehavioralHealth/publications/SYNARRpt2012.pdf>

COMMUNITY MOBILIZATION TO INCREASE TO INCREASE SUPPORT FOR RETAILER COMPLIANCE WITH YOUTH ACCESS LAWS

Regional Synar coalitions were established in each of the 10 regions in the state during FFY 1997. During FFY 2012, all ten (10) OBH Regional Synar Contractors actively participated in Regional Tobacco Free Living (TFL) Coalition Meetings, serving as an expert in limiting youth access to tobacco products.

OTHER ACTIVITIES: CONTRACT WITH OATC (utilizing State General Funds) to support enforcement activities

The Office of Alcohol and Tobacco Control conducted 5,791 tobacco compliance checks from July 1, 2011 to June 30, 2012. Of these 5,791 compliance checks, the Office of Behavioral Health funded 2,400 random, unannounced compliance checks through a contractual agreement with OATC. 1,070 of these unannounced tobacco inspections were funded utilizing SAPT Block Grant Funds and 1,330 compliance checks were funded utilizing State General Funds. Finally, OATC conducted 3,391 FDA tobacco compliance checks. During FFY 2012, approximately 377 of the 5,791 merchants were found to be in violation. Merchants found to be in violation of the law were issued citations. Merchants found to be in compliance were issued a certificate/letter of appreciation from OATC's Commissioner.

- f. Are citations or warnings issued to retailers or clerks who sell tobacco to minors for inspections that are part of the Synar survey?** ☒ Yes ☐ No

If "Yes" to 5f, please describe the State's procedure for minimizing risk of bias to the survey results from retailers alerting each other to the presence of the survey teams:

Tobacco compliance checks are conducted on an on-going basis throughout the year. During FFY 2012, OATC conducted 5,791 compliance checks (2,400 checks were randomly selected). This total includes Synar and non-Synar checks. It is unlikely that merchants warn one another about the Synar checks because OATC conducts tobacco and alcohol compliance checks on an on-going basis throughout the year. All compliance checks (regardless if they are Synar or non-Synar) follow the same inspection protocol. Violations are issued to any merchant that is found to be non-compliant with the law. In addition, OATC conducts routine compliance checks of Alcohol Vendors following a comparable protocol. During FFY 2012, OATC conducted 2,944 alcohol compliance checks.

Combined (tobacco + alcohol), OATC conducted 8,735 compliance checks, providing a year-round enforcement presence.

- g. Please describe the relationship between the State's Synar program and the Food and Drug Administration-funded enforcement program:**

OATC is the FDA grant awardee. During FFY 2012, 3,391 FDA tobacco compliance checks and 3,500 advertising and labeling checks were completed.

SYNAR SURVEY METHODS AND RESULTS

The following questions pertain to the survey methodology and results of the Synar survey used by the State to meet the requirements of the Synar Regulation in FFY 2012 (see 42 U.S.C. 300x-26 and 45 C.F.R. 96.130).

6. Has the sampling methodology changed from the previous year? ☐ Yes ☒ No

The State is required to have an approved up-to-date description of the Synar sampling methodology on file with CSAP. Please submit a copy of your Synar Survey Sampling Methodology (Appendix B). If the sampling methodology changed from the previous reporting year, these changes must be reflected in the methodology submitted.

7. Please answer the following questions regarding the State's annual random, unannounced inspections of tobacco outlets (see 45 C.F.R. 96.130(d)(2)).

- a. Did the State use the optional Synar Survey Estimation System (SSES) to analyze the Synar survey data? ☒ Yes ☐ No

If Yes, attach SSES summary tables 1, 2, 3, and 4 to the hard copy of the ASR and upload a copy of SSES tables 1–5 (in Excel) to WebBGAS. Then go to Question 8. If No, continue to Question 7b.

- b. Report the weighted and unweighted Retailer Violation Rate (RVR) estimates, the standard error, accuracy rate (number of eligible outlets divided by the total number of sampled outlets), and completion rate (number of eligible outlets inspected divided by the total number of eligible outlets).

Unweighted RVR _____

Weighted RVR _____

Standard error (s.e.) of the (weighted) RVR _____

Fill in the blanks to calculate the right limit of the right-sided 95% confidence interval.

| | | | | | | |
|---------------------|-------------|---------------|--------------|-------------------------|---------------|--------------------|
| _____ | + | (1.645 | × | _____) | = | _____ |
| RVR Estimate | plus | (1.645 | times | Standard Error) | equals | Right Limit |

Accuracy rate _____

Completion rate _____

- c. Fill out Form 1 in Appendix A (Forms1–5). (Required regardless of the sample design.)

- d. How were the (weighted) RVR estimate and its standard error obtained? (Check the one that applies.)

☐ Form 2 (Optional) in Appendix A (Forms 1–5) (Attach completed Form 2.)

☐ Other (*Please specify. Provide formulas and calculations or attach and explain the program code and output with description of all variable names.*)

- e. **If stratification was used, did any strata in the sample contain only one outlet or cluster this year?** ☐ Yes ☐ No ☐ No stratification

If Yes, explain how this situation was dealt with in variance estimation.

- f. **Was a cluster sample design used?** ☐ Yes ☐ No

If Yes, fill out and attach Form 3 in Appendix A (Forms 1–5), and answer the following question.

If No, go to Question 7g.

Were any certainty primary sampling units selected this year? ☐ Yes ☐ No

If Yes, explain how the certainty clusters were dealt with in variance estimation.

g. Report the following outlet sample sizes for the Synar survey.

| | Sample Size |
|--|-------------|
| Effective sample size (sample size needed to meet the SAMHSA precision requirement assuming simple random sampling) | |
| Target sample size (the product of the effective sample size and the design effect) | |
| Original sample size (inflated sample size of the target sample to counter the sample attrition due to ineligibility and noncompletion) | |
| Eligible sample size (number of outlets found to be eligible in the sample) | |
| Final sample size (number of eligible outlets in the sample for which an inspection was completed) | |

h. Fill out Form 4 in Appendix A (Forms 1–5).

8. Did the State’s Synar survey use a list frame? ☒ Yes ☐ No

If Yes, answer the following questions about its coverage.

a. The calendar year of the latest frame coverage study: 2011

b. Percent coverage from the latest frame coverage study: 92.8%

c. Was a new study conducted in this reporting period? ☐ Yes ☒ No

If Yes, please complete Appendix D (List Sampling Frame Coverage Study) and submit it with the Annual Synar Report.

d. The calendar year of the next coverage study planned: 2013

9. Has the Synar survey inspection protocol changed from the previous year?

☐ Yes ☒ No

The State is required to have an approved up-to-date description of the Synar inspection protocol on file with CSAP. Please submit a copy of your Synar Survey Inspection Protocol (Appendix C). If the inspection protocol changed from the previous year, these changes must be reflected in the protocol submitted.

a. Provide the inspection period: From 07/16/12 to 09/26/12
MM/DD/YY MM/DD/YY

b. Provide the number of youth inspectors used in the current inspection year:

28

NOTE: If the State uses SSES, please ensure that the number reported in 9b matches that reported in SSES Table 4, or explain any difference.

| |
|--|
| |
|--|

c. Fill out and attach Form 5 in Appendix A (Forms 1–5). *(Not required if the State used SSES to analyze the Synar survey data.)*

SECTION II: FFY 2013 (Intended Use):

Public law 42 U.S.C. 300x-26 of the Public Health Service Act and 45 C.F.R. 96.130 (e) (4, 5) require that the States provide information on future plans to ensure compliance with the Synar requirements to reduce youth tobacco access.

1. In the upcoming year, does the State anticipate any changes in:

Synar sampling methodology ☐ Yes ☒ No

Synar inspection protocol ☐ Yes ☒ No

If changes are made in either the Synar sampling methodology or the Synar inspection protocol, the State is required to obtain approval from CSAP prior to implementation of the change and file an updated Synar Survey Sampling Methodology (Appendix B) or an updated Synar Survey Inspection Protocol (Appendix C), as appropriate.

2. Please describe the State's plans to maintain and/or reduce the target rate for Synar inspections to be completed in FFY 2013. Include a brief description of plans for law enforcement efforts to enforce youth tobacco access laws, activities that support law enforcement efforts to enforce youth tobacco access laws, and any anticipated changes in youth tobacco access legislation or regulation in the State.

LAW ENFORCEMENT PLANS

The Office of Alcohol and Tobacco Control will conduct 1,200 tobacco compliance checks (Synar inspections for the Annual Report) through contractual agreement with the Office of Behavioral Health. Outlets for all 1,200 tobacco compliance checks will be selected using stratified random sampling for the Synar inspections during summer 2013. OATC has also committed to conduct an additional 1,750 compliance checks during FFY 2013 for a total of 2,950. Citations will be issued to those found in violation. Letters of appreciation will be mailed to those merchants that are found to be in compliance.

In addition, merchants must continue to register for tobacco permits and may lose the ability to sell tobacco products if they are found non-compliant with tobacco laws.

MERCHANT EDUCATION PLANS

As a way to educate tobacco merchants, each of the 10 regions of the State will fund a Synar Contractor that will train and supervise youth volunteers to conduct unconsummated 400 unconsummated compliance checks to include the following: 300 cigarette purchase attempts, 60 smokeless tobacco purchase attempts, and 40 cigar purchase attempts.

3. Describe any challenges the State faces in complying with the Synar regulation. (Check all that apply.)

☒ Limited resources for law enforcement of youth access laws

☐ Limited resources for activities to support enforcement and compliance with youth tobacco access laws

- ☐ Limitations in the State youth tobacco access laws
- ☐ Limited public support for enforcement of youth tobacco access laws
- ☐ Limitations on completeness/accuracy of list of tobacco outlets
- ☐ Limited expertise in survey methodology
- ☐ Laws/regulations limiting the use of minors in tobacco inspections
- ☐ Difficulties recruiting youth inspectors
- ☒ Geographic, demographic, and logistical considerations in conducting inspections
- ☐ Cultural factors (e.g., language barriers, young people purchasing for their elders)
- ☐ Issues regarding sources of tobacco under tribal jurisdiction
- ☐ Other challenges (*Please list.*) _____

Briefly describe all checked challenges and propose a plan for each, or indicate the State's need for technical assistance related to each relevant challenge.

LIMITED RESOURCES FOR LAW ENFORCEMENT OF YOUTH ACCESS LAWS

During the last year, OATC has gone through a reorganization. OATC has a total of 61 staff. There are 27 OATC enforcement agents including directors and field agents. Twenty-two (22) agents are responsible for conducting compliance checks.

The large rural populations make it logistically challenging to conduct compliance checks. Due to the limited number of OATC agents and scarce resources enforcement efforts are strained.

GEOGRAPHIC, DEMOGRAPHIC, AND LOGISTICAL CONSIDERATIONS IN CONDUCTING INSPECTIONS:

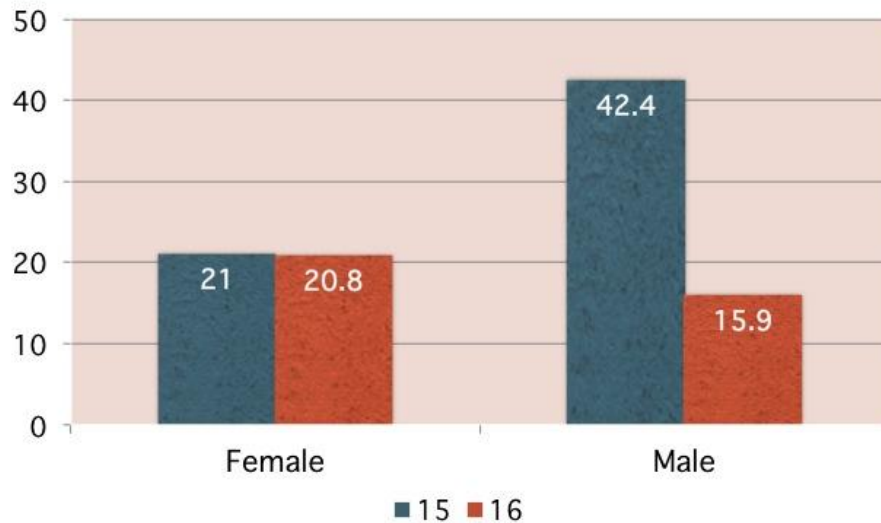
Geographic Variation: RVR across the state varies by region. The chart on the following page shows RVR by the 10 DHH regions. This variation is reviewed each year to target merchant education activities.

Youth Inspector Gender and Age: The distribution of youth inspectors (operatives) by gender and age is not as balanced as in prior years. The chart on the following page shows the distribution of compliance checks by gender and age of inspectors. The state will continue to work with OATC to balance gender and age of inspectors.

RVR by DHH Region



Distribution of Youth Inspectors by Gender and Age



SSES Table 1 (Synar Survey Estimates and Sample Sizes)**CSAP-SYNAR REPORT**

| | |
|---------------------------|-------------------------|
| State | Louisiana |
| Federal Fiscal Year (FFY) | 2013 |
| Date | 12/11/2012 10:26 |
| Data | FY13 SSES data.xls |
| Analysis Option | Stratified SRS with FPC |

Estimates

| | |
|--------------------------------------|---------------|
| Unweighted Retailer Violation Rate | 8.9% |
| Weighted Retailer Violation Rate | 8.8% |
| Standard Error | 0.8% |
| Is SAMHSA Precision Requirement met? | YES |
| Right-sided 95% Confidence Interval | [0.0%, 10.2%] |
| Two-sided 95% Confidence Interval | [7.2%, 10.5%] |
| Design Effect | 1.0 |
| Accuracy Rate (unweighted) | 84.4% |
| Accuracy Rate (weighted) | 84.4% |
| Completion Rate (unweighted) | 96.0% |

Sample Size for Current Year

| | |
|------------------------------|-------|
| Effective Sample Size | 936 |
| Target (Minimum) Sample Size | 936 |
| Original Sample Size | 1,154 |
| Eligible Sample Size | 974 |
| Final Sample Size | 935 |
| Overall Sampling Rate | 17.6% |

SSES Table 2 (Synar Survey Results by Stratum and by OTC/VM)

STATE:
Louisiana
FFY: 2013

| Samp. Stratum | Var. Stratum | Outlet Frame Size | Estimated Outlet Population Size | Number of PSU Clusters Created | Number of PSU Clusters in Sample | Outlet Sample Size | Number of Eligible Outlets in Sample | Number of Sample Outlets Inspected | Number of Sample Outlets in Violation | Retailer Violation Rate(%) | Standard Error(%) |
|---------------------------------|--------------|-------------------|----------------------------------|--------------------------------|----------------------------------|--------------------|--------------------------------------|------------------------------------|---------------------------------------|----------------------------|-------------------|
| All Outlets | | | | | | | | | | | |
| 1 | 1 | 811 | 559 | N/A | N/A | 148 | 102 | 102 | 8 | 7.8% | |
| 10 | 10 | 612 | 448 | N/A | N/A | 112 | 82 | 79 | 7 | 8.9% | |
| 2 | 2 | 865 | 739 | N/A | N/A | 158 | 135 | 125 | 5 | 4.0% | |
| 3 | 3 | 622 | 506 | N/A | N/A | 113 | 92 | 88 | 6 | 6.8% | |
| 4 | 4 | 821 | 755 | N/A | N/A | 150 | 138 | 135 | 13 | 9.6% | |
| 5 | 5 | 381 | 348 | N/A | N/A | 69 | 63 | 61 | 12 | 19.7% | |
| 6 | 6 | 397 | 353 | N/A | N/A | 72 | 64 | 62 | 12 | 19.4% | |
| 7 | 7 | 717 | 635 | N/A | N/A | 131 | 116 | 108 | 7 | 6.5% | |
| 8 | 8 | 466 | 422 | N/A | N/A | 85 | 77 | 74 | 7 | 9.5% | |
| 9 | 9 | 636 | 575 | N/A | N/A | 116 | 105 | 101 | 6 | 5.9% | |
| Total | | 6,328 | 5,340 | | | 1,154 | 974 | 935 | 83 | 8.8% | 0.8% |
| Over the Counter Outlets | | | | | | | | | | | |
| 1 | 1 | 811 | 521 | N/A | N/A | 95 | 95 | 95 | 6 | 6.3% | |
| 10 | 10 | 612 | 448 | N/A | N/A | 79 | 79 | 79 | 7 | 8.9% | |
| 2 | 2 | 865 | 739 | N/A | N/A | 125 | 125 | 125 | 5 | 4.0% | |
| 3 | 3 | 622 | 489 | N/A | N/A | 85 | 85 | 85 | 5 | 5.9% | |
| 4 | 4 | 821 | 727 | N/A | N/A | 130 | 130 | 130 | 13 | 10.0% | |
| 5 | 5 | 381 | 331 | N/A | N/A | 58 | 58 | 58 | 10 | 17.2% | |
| 6 | 6 | 397 | 353 | N/A | N/A | 62 | 62 | 62 | 12 | 19.4% | |
| 7 | 7 | 717 | 635 | N/A | N/A | 108 | 108 | 108 | 7 | 6.5% | |
| 8 | 8 | 466 | 422 | N/A | N/A | 74 | 74 | 74 | 7 | 9.5% | |
| 9 | 9 | 636 | 564 | N/A | N/A | 99 | 99 | 99 | 6 | 6.1% | |
| Total | | 6,328 | 5,229 | | | 915 | 915 | 915 | 78 | 8.5% | 0.8% |
| Vending Machines | | | | | | | | | | | |
| 1 | 1 | 0 | 38 | N/A | N/A | 7 | 7 | 7 | 2 | 28.6% | |
| 10 | 10 | 0 | 0 | N/A | N/A | 0 | 0 | 0 | 0 | 0.0% | |
| 2 | 2 | 0 | 0 | N/A | N/A | 0 | 0 | 0 | 0 | 0.0% | |
| 3 | 3 | 0 | 17 | N/A | N/A | 3 | 3 | 3 | 1 | 33.3% | |
| 4 | 4 | 0 | 28 | N/A | N/A | 5 | 5 | 5 | 0 | 0.0% | |
| 5 | 5 | 0 | 17 | N/A | N/A | 3 | 3 | 3 | 2 | 66.7% | |
| 6 | 6 | 0 | 0 | N/A | N/A | 0 | 0 | 0 | 0 | 0.0% | |
| 7 | 7 | 0 | 0 | N/A | N/A | 0 | 0 | 0 | 0 | 0.0% | |
| 8 | 8 | 0 | 0 | N/A | N/A | 0 | 0 | 0 | 0 | 0.0% | |
| 9 | 9 | 0 | 11 | N/A | N/A | 2 | 2 | 2 | 0 | 0.0% | |
| Total | | 0 | 111 | | | 20 | 20 | 20 | 5 | 25.1% | 8.8% |

Note: There are some records with unknown outlet type. Therefore the overall counts may not equal the sum of OTC and VM counts.

SSES Table 3 (Synar Survey Sample Tally Summary)STATE: Louisiana
FFY:
2013

| Disposition Code | Description | Count | Subtotal |
|-------------------------------|--|-------|----------|
| EC | Eligible and inspection complete outlet | 935 | |
| Total (Eligible Completes) | | | 935 |
| N1 | In operation but closed at time of visit | 29 | |
| N2 | Unsafe to access | 6 | |
| N3 | Presence of police | 0 | |
| N4 | Youth inspector knows salesperson | 2 | |
| N5 | Moved to new location but not inspected | 0 | |
| N6 | Drive thru only/youth inspector has no drivers license | 0 | |
| N7 | Tobacco out of stock | 2 | |
| N8 | Run out of time | 0 | |
| N9 | Other noncompletion | 0 | |
| Total (Eligible Noncompletes) | | | 39 |
| I1 | Out of Business | 66 | |
| I2 | Does not sell tobacco products | 13 | |
| I3 | Inaccessible by youth | 91 | |
| I4 | Private club or private residence | 6 | |
| I5 | Temporary closure | 2 | |
| I6 | Can't be located | 1 | |
| I7 | Wholesale only/Carton sale only | 1 | |
| I8 | Vending machine broken | 0 | |
| I9 | Duplicate | 0 | |
| I10 | Other ineligibility | 0 | |
| Total (Ineligibles) | | | 180 |
| Grand Total | | | 1154 |

SSES Table 4 (Synar Survey Inspection Results by Youth Inspector Characteristics)

STATE: Louisiana
FFY:
2013

Frequency Distribution

| Gender | Age | Number of Inspectors | Attempted Buys | Successful Buys |
|-------------|----------|----------------------|----------------|-----------------|
| Male | 14 | 0 | 0 | 0 |
| | 15 | 8 | 401 | 32 |
| | 16 | 6 | 150 | 19 |
| | 17 | 0 | 0 | 0 |
| | 18 | 0 | 0 | 0 |
| | Subtotal | 14 | 551 | 51 |
| Female | 14 | 0 | 0 | 0 |
| | 15 | 8 | 198 | 9 |
| | 16 | 6 | 186 | 23 |
| | 17 | 0 | 0 | 0 |
| | 18 | 0 | 0 | 0 |
| | Subtotal | 14 | 384 | 32 |
| Other | | 0 | 0 | 0 |
| Grand Total | | 28 | 935 | 83 |

Buy Rate in Percent by Age and Gender

| Age | Male | Female | Total |
|-------|-------|--------|-------|
| 14 | 0.0% | 0.0% | 0.0% |
| 15 | 8.0% | 4.5% | 6.8% |
| 16 | 12.7% | 12.4% | 12.5% |
| 17 | 0.0% | 0.0% | 0.0% |
| 18 | 0.0% | 0.0% | 0.0% |
| Other | | | 0.0% |
| Total | 9.3% | 8.3% | 8.9% |

APPENDIX B: SYNAR SURVEY SAMPLING METHODOLOGY

State: Louisiana

FFY: 2013

1. What type of sampling frame is used?

- ☒ List frame (*Go to Question 2.*)
☐ Area frame (*Go to Question 3.*)
☐ List-assisted area frame (*Go to Question 2.*)

2. List all sources of the list frame. Indicate the type of source from the list below. Provide a brief description of the frame source. Explain how the lists are updated (method), including how new outlets are identified and added to the frame. In addition, explain how often the lists are updated (cycle). (*After completing this question, go to Question 4.*)

Use the corresponding number to indicate Type of Source in the table below.

- 1 – Statewide commercial business list 4 – Statewide retail license/permit list
2 – Local commercial business list 5 – Statewide liquor license/permit list
3 – Statewide tobacco license/permit list 6 – Other

| Name of Frame Source | Type of Source | Description | Updating Method and Cycle |
|--|----------------|---|--|
| State Office of Alcohol and Tobacco Control Tobacco License List | 3 | All tobacco outlets in Louisiana that sell tobacco at retail or otherwise distribute tobacco products to consumers | ATC continuously removes non-renewed permits from the list and updates the list with new permits |
| InfoUSA; Hoovers; SLGN Directory Lists | 1 | Used to remove ineligible outlets from the list prior to sampling. Ineligible outlets include bars, taverns, night clubs, adult clubs, private clubs, correctional centers, and sheriff's offices | The InfoUSA database contains over 10 million records covering all industries in US. It is compiled from over 5,000 sources & further verified by 20 million telephone verification calls annually. Data is updated monthly. The subset of the database on bars, taverns, nightclubs, adult clubs, private clubs, correctional centers, and sheriff's offices for Louisiana is used to identify ineligible outlets on the state tobacco list. Hoovers Custom Build a List of Companies and SLGN Directory Lists for Louisiana are used to remove additional outlets not identified by InfoUSA. |

3. If an area frame is used, describe how area sampling units are defined and formed.

a. Is any area left out in the formation of the area frame? ☐ Yes ☐ No

If Yes, what percentage of the State's population is not covered by the area frame?
_____ %

4. Federal regulation requires that vending machines be inspected as part of the Synar survey. Are vending machines included in the Synar survey? ☒ Yes ☐ No

If No, please indicate the reason they are not included in the Synar survey.

- ☐ State law bans vending machines.
- ☐ State law bans vending machines from locations accessible to youth.
- ☐ State has SAMHSA approval to exempt vending machines from the survey.
- ☐ Other (*Please describe.*) _____

Vending machines in Louisiana are located in places that are accessible to youth. However, the State's license list does not distinguish between over-the-counter and vending machines for tobacco sellers. Inspection teams entering an outlet initially determine how tobacco is sold (over-the-counter assisted by a clerk; over-the-counter self-service; and vending machine). If tobacco is sold in vending machines, an attempt is made to purchase from the vending machine. As part of a vending machine attempt, the youth operative approaches the clerk to ask for change to use the vending machine. It is important to note that the ratio of vending machine inspections to over-the-counter inspections is small. This is likely due to the combined effect of vending machines being harder to manage and monitor, while at the same time, being subject to more frequent compliance checks because of their location in outlets that are inspected for alcohol compliance as well as tobacco compliance.

5. Which category below best describes the sample design? (Check only one.)

☐ **Census** (*STOP HERE: Appendix B is complete.*)

Unstratified statewide sample:

- ☐ Simple random sample (*Go to Question 9.*)
- ☐ Systematic random sample (*Go to Question 6.*)
- ☐ Single-stage cluster sample (*Go to Question 8.*)
- ☐ Multistage cluster sample (*Go to Question 8.*)

Stratified sample:

- ☒ Simple random sample (*Go to Question 7.*)
- ☐ Systematic random sample (*Go to Question 6.*)
- ☐ Single-stage cluster sample (*Go to Question 7.*)
- ☐ Multistage cluster sample (*Go to Question 7.*)
- ☐ **Other** (*Please describe and go to Question 9.*) _____

6. **Describe the systematic sampling methods.** *(After completing Question 6, go to Question 7 if stratification is used. Otherwise go to Question 9.)*

7. **Provide the following information about stratification.**

- a. **Provide a full description of the strata that are created.**

Louisiana is divided into ten geographic regions. These 10 administrative regions comprise the strata.

Special note: The major change to sampling methodology occurred prior to the FFY 2004 inspections as a result of a policy change at the Office of Alcohol and Tobacco Control. In prior years, youth access to age-restricted tobacco outlets² such as bars, lounges, and gaming establishments, was tested by the youth operative entering the outlet and the agents determining whether the youth's age was checked by the bartender or other employee, and the youth then asked to leave. Age-restricted outlets that did not check the age of the youth and allowed the youth to stay were considered non-compliant, per CSAP guidance, and included in calculating the state non-compliance rate. In June 2003, the Office of Alcohol and Tobacco Control responded to agent and supervisor ethical concerns about exposing youth operatives to age-restricted outlets, and formulated a policy that limits the testing of youth access to age-restricted outlets to only those outlets with a doorman present at the time of inspection. This policy has narrowed the definition of outlet eligibility in the sampling frame; in the past two surveys age-restricted outlets that do not have doorman at the time of inspection were considered ineligible.

In addition, starting in FFY 2005, a commercial business list was used to remove bars, taverns, night clubs, adult clubs, private clubs, correctional centers, and sheriff's offices from the state tobacco license list, in order to reduce the percentage of ineligible outlets.

- b. **Is clustering used within the stratified sample?**

☐ **Yes** *(Go to Question 8.)*

☒ **No** *(Go to Question 9.)*

8. **Provide the following information about clustering.**

- a. **Provide a full description of how clusters are formed.** *(If multistage clusters are used, give definitions of clusters at each stage.)*

- b. **Specify the sampling method (simple random, systematic, or probability proportional to size sampling) for each stage of sampling and describe how the method(s) is (are) implemented.**

9. Provide the formulas for determining the effective, target, and original outlet sample sizes.

In calculating the effective sample size (n_e), we used the following formula:

$$n_e = \frac{1}{\frac{(e/Z)^2}{p(1-p)} + \frac{1}{N}}$$

where n_e is the minimum effective sample size, e is the margin of error set at .01, Z is the normal deviant, 1.645 corresponding to a 95% one-tailed confidence interval for the non-compliance rate, p is the prevalence rate estimated by the previous year's non-compliance rate, and N is the size of the sampling frame.

The target sample size (n_t), is the sample size adjusted for the design effect to account for the stratified random sample design, which is given by:

$$n_t = dn_e$$

where d is the design effect estimated to be 1

Then, the original sample size (n_o), is determined by:

$$n_o = \frac{n_t}{r_e r_c}$$

where, r_e is the eligibility rate and r_c is the completion rate from the previous year's survey.

The sample is allocated to the 10 different strata using the proportional allocation procedure according to the stratum size of outlets in the population.

$$n_i = n(N_i/N)$$

where n_i is the sample size for the i th stratum, n is the total sample size for Louisiana, N_i is the number of outlets in the i th stratum, and N is the total number of outlets in Louisiana.

10. Provide the following information about sample size calculations for the current FFY Synar survey.

- a. If the State uses the sample size formulas embedded in the Synar Survey Estimation System (SSES) Sample Size Calculator, please provide the following information:**

Inputs for Effective Sample Size:

RVR:

Frame Size:

Input for Target Sample Size:

Design Effect:

Inputs for Original Sample Size:

Safety Margin:

Accuracy (Eligibility) Rate:

Completion Rate:

- b. If the State does not use the sample size formulas embedded in the SSES Sample Size Calculator, please provide all inputs required to calculate the effective, target, and original sample sizes as indicated in Question 9.**

| Calculating the Effective Sample Size for one-tailed test at 95% | | | | | | | |
|--|-----------------------|--------------------------|---------------|-----------------|----------------|----------------|--|
| proportion - yes RVR FFY 2012(unweighted) | proportion - no | z one tailed | numerator | margin of error | denominator | effective size | |
| 0.042 | 0.958 | 1.645 | 0.108879622 | 0.01 | 0.0001 | 1089 | |
| with finite population correction | | numerator | population | denominator | effective, fpc | | |
| | | 1089 | 6663 | 1.163259225 | | 936 | |
| Calculating the Original Sample Size for one-tailed test at 95% | | | | | | | |
| design effect | accuracy rate FFY2012 | completion rate FFY 2012 | original size | | | | |
| 1 | 0.82 | 0.989 | 1154 | | | | |

| Calculating Sample Size for Each Stratum | | |
|--|----------------------------|--|
| Stratum | N Population in Stratum | n Calculated Sample Size in Stratum |
| 1 | 811 | 148 |
| 2 | 865 | 158 |
| 3 | 622 | 113 |
| 4 | 821 | 150 |
| 5 | 381 | 69 |
| 6 | 397 | 72 |
| 7 | 717 | 131 |
| 8 | 466 | 85 |
| 9 | 636 | 116 |
| 10 | 612 | 112 |
| Total | 6328 | 1,154 |

| | |
|-------------------------|------|
| Correcting for Rounding | 148 |
| | 158 |
| | 113 |
| | 150 |
| | 69 |
| | 72 |
| | 131 |
| | 85 |
| | 116 |
| | 112 |
| | 1154 |

put in population size for each stratum

The target sample size (n_t), is the sample size adjusted for the design effect to account for the stratified random sample design, which is given by:

$$n_t = dn_e$$

where d is the design effect estimated to be 1

APPENDIX C: SYNAR SURVEY INSPECTION PROTOCOL

State: Louisiana

FFY: 2013

Note: Upload to WebBGAS a copy of the Synar inspection form under the heading “Synar Inspection Form” and a copy of the protocol used to train inspection teams on conducting and reporting the results of the Synar inspections under the heading “Synar Inspection Protocol.”

1. How does the State Synar survey protocol address the following?

a. Consummated buy attempts?

- | | |
|--|--|
| <input checked="" type="checkbox"/> Required | <input type="checkbox"/> Not permitted |
| <input type="checkbox"/> Permitted under specified circumstances | <input type="checkbox"/> Not specified in protocol |

b. Youth inspectors to carry ID?

- | | |
|---|--|
| <input type="checkbox"/> Required | <input type="checkbox"/> Not permitted |
| <input checked="" type="checkbox"/> Permitted under specified circumstances | <input type="checkbox"/> Not specified in protocol |

Note: Youth inspectors can never lie about their age, and can never carry fraudulent ID. At the discretion of the supervising agent, the agent may secure the operative's ID in order to protect the safety of the youth operative. For example, the ID may be secured if the agent knows that the outlet scans IDs, in order to protect the confidentiality of the operative's name and address. If the agent has secured the youth operative's ID, and the salesclerk asks the youth operative for ID during the compliance check, the youth operative truthfully replies that they do not have their ID with them.

c. Adult inspectors to enter the outlet?

- | | |
|--|--|
| <input checked="" type="checkbox"/> Required | <input type="checkbox"/> Not permitted |
| <input type="checkbox"/> Permitted under specified circumstances | <input type="checkbox"/> Not specified in protocol |

d. Youth inspectors to be compensated?

- | | |
|--|--|
| <input checked="" type="checkbox"/> Required | <input type="checkbox"/> Not permitted |
| <input type="checkbox"/> Permitted under specified circumstances | <input type="checkbox"/> Not specified in protocol |

2. Identify the agency(ies) or entity(ies) that actually conduct the random, unannounced Synar inspections of tobacco outlets. (Check all that apply.)

- ☒ Law enforcement agency(ies)
☐ State or local government agency(ies) other than law enforcement
☐ Private contractor(s)
☐ Other

List the agency name(s): Louisiana Office of Alcohol and Tobacco

3. Are Synar inspections combined with law enforcement efforts (i.e., do law enforcement representatives issue warnings or citations to retailers found in violation of the law at the time of the inspection)?

☒ Always ☐ Usually ☐ Sometimes ☐ Rarely ☐ Never

4. Describe the methods used to recruit, select, and train youth inspectors and adult supervisors.

Recruitment and Selection of Youth Operatives. Youth operatives are recruited by OATC from youth groups, community groups, and agent contacts. The age of youth operatives ranges from 15-16 years old. The youth is photographed during the screening process to make sure that the youth's appearance reflects his/her actual age. Youth operatives can be paid or volunteer their time; those that choose to be paid are compensated at a rate of \$10.00 per hour.

Training of Youth Operatives. Youth operatives are trained and supervised by OATC agents. Agents clearly discuss the guidelines for underage operatives with the youth. In addition to requirements for underage operatives, OATC agents train youth in the tobacco compliance check protocol. The training of youth operatives takes place at the time that the youth is officially recruited, once appropriate release and consent forms have been signed by the operative and his or her parent/guardian. In addition to the initial training session, OATC agents review the main points concerning compliance check procedures immediately prior to a compliance check to reinforce fidelity with the inspection protocol guidelines. Guidelines for underage operatives conducting tobacco compliance checks are shown below.

Guidelines for Youth Operatives

- ◆ Must not be deceptively mature in appearance, or disguise or alter appearance.
- ◆ Must carry valid identification and state correct age if asked.
- ◆ Must avoid speaking to anyone except the employee at each location.
- ◆ Minors under the age of 18 must have a signed letter of approval from a parent/guardian.
- ◆ Operatives can be paid or volunteer their time.
- ◆ Two photos must be taken of the operative the day of the investigation; one full face, and one head to toe.

Guidelines for Inspection Protocol

- ◆ Youth inspector teamed with two agents; one agent observes in the store; the other observes from the car/van
- ◆ One undercover agent enters the store
- ◆ Youth enters the store after the agent.
- ◆ Youth requests the pre-determined tobacco product.
- ◆ Youth pays for the tobacco product (get a receipt if possible)
- ◆ If youth is asked for ID, the youth will show legal identification; however, in most cases, the youth's ID is held by agents.
- ◆ If youth is asked age, youth will respond with correct age.
- ◆ Youth maintains possession of the tobacco product until an agent can take possession of it.
- ◆ Youth exits store and returns to car/van.
- ◆ Undercover agent exits store to get badge and ticket book.
- ◆ Undercover agent returns to store and gives citations to store and clerk.

Legal Requirements. Youth Operatives are required to be truthful. Compliance checks are conducted by law enforcement personnel as law enforcement undercover operations. OATC follows laws pertaining to undercover operations and regulations such as work laws and times. The youth operatives are cooperating individuals immune to prosecution due to the nature of the agreement with law enforcement. Youth operatives are regarded in the same manner as a confidential informant and in all cases the utmost effort is given to prevent appearance and testimony by them in court. Undercover agents witness the sale and testify to the offense.

Synar Compliance Agent Training. All OATC Agents are Commissioned and Certified Law Enforcement Personnel. Agents are trained in all required law enforcement procedures and also undergo field training within the agency with senior agents, field training personnel, and supervisors. OATC does not have a formal training curriculum for compliance inspections; however, procedures for compliance inspections are outlined in the agency's Policy and Procedure Manual. Synar Compliance Training builds on the existing OATC procedures for compliance inspections with a separate training session for all OATC supervisors one week prior to the Synar Survey. Additional training is warranted in order to ensure that Synar Survey methods and procedures are implemented by OATC officers with fidelity and uniformity. For the Annual Synar Report, a half-day training is held. The training included the following topics:

Synar Compliance Check Agent Training

- Updates on Tobacco and Public Health
- Highlights from the Recent ASR
- Continuing Challenges
- Selecting the Sample
- Collecting the Data
- Monitoring the Data
- Practice Discussion

5. Are there specific legal or procedural requirements instituted by the State to address the issue of youth inspectors' immunity when conducting inspections?

- a. Legal** ☒ **Yes** ☐ **No** *(If Yes, please describe.)*

The issue of youth inspectors' immunity when conducting inspections is the same as other law enforcement efforts. The youth inspectors (operatives) are immune if inspections are done in the scope of the operations.

- b. Procedural** ☒ **Yes** ☐ **No** *(If Yes, please describe.)*

OATC Policy outlines what can and cannot be done by operatives. The specific guidelines/requirements for underage operatives as well as protocols for conducting compliance checks is outlined in the response to the previous question.

6. Are there specific legal or procedural requirements instituted by the State to address the issue of the safety of youth inspectors during all aspects of the Synar inspection process?

- a. Legal** ☐ **Yes** ☒ **No** *(If Yes, please describe.)*

- b. Procedural** ☒ **Yes** ☐ **No** *(If Yes, please describe.)*

OATC Policy requires that two (2) adult agents accompany youth operatives during compliance inspections and at no time is a youth operative allowed to complete an inspection of an outlet that has been deemed unsafe or inappropriate (i.e. operative knows the salesclerk).

7. Are there any other legal or procedural requirements the State has regarding how inspections are to be conducted (e.g., age of youth inspector, time of inspections, training that must occur)?

a. Legal ☐ Yes ☒ No *(If Yes, please describe.)*

b. Procedural ☒ Yes ☐ No *(If Yes, please describe.)*

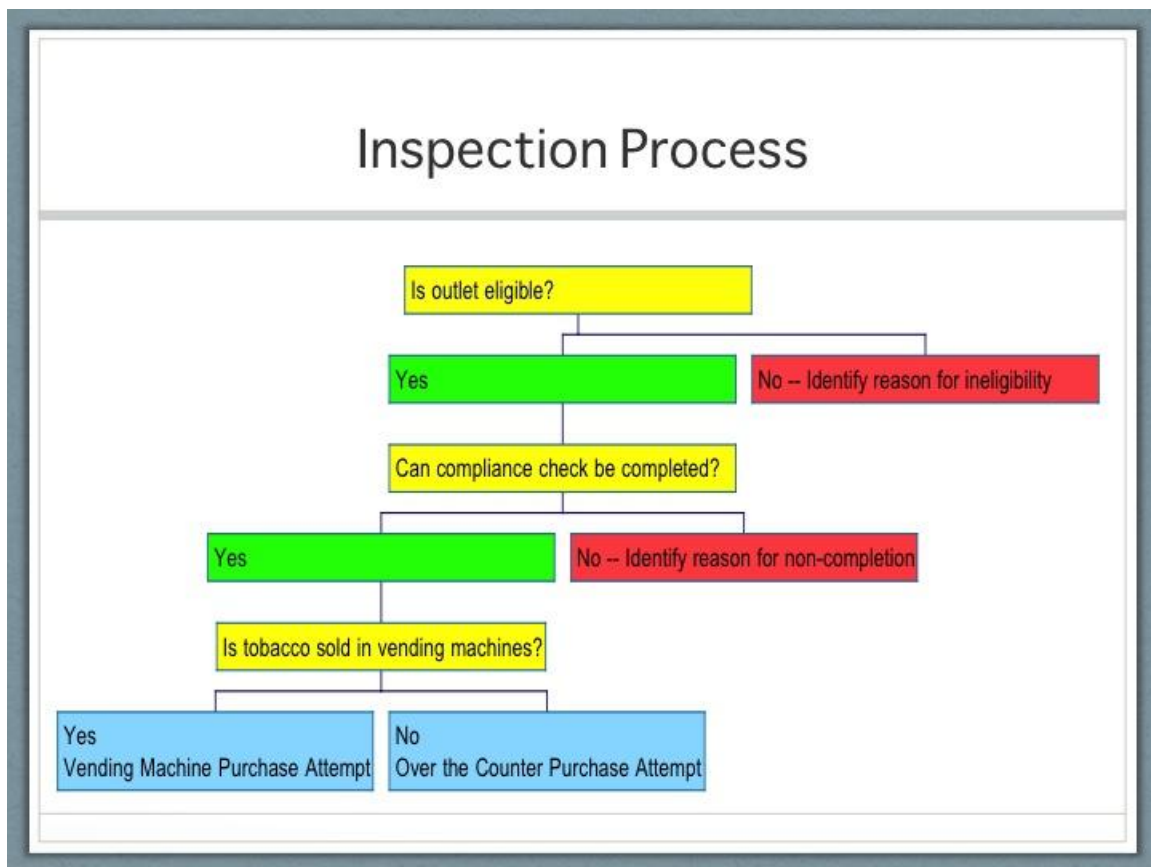
OATC Policy has been formulated using the State’s legal guidelines established for law enforcement agencies.

NOTE: Details about the Inspection Methodology, Database Entry Form, Data Collection Procedures, and Monitoring Procedures follow.

Inspection Methodology. At the point of inspection, the outlet name and address is verified. If the outlet is out of business, does not sell tobacco products, is a private facility not accessible to the public, is temporarily closed, is not located at the address, or is an adult club, the outlet is coded ineligible and the specific reason for ineligibility identified. If the outlet is in operation but closed at the time of 3 separate visits, is judged unsafe to access, or the youth inspector knows the salesperson, the outlet is coded non-complete and the specific reason for non-completion is identified.

Eligible outlets are inspected, including all outlets selling tobacco products not accessible to youth (except for adult clubs). Two commissioned OATC agents accompany the youth during attempts to purchase tobacco. One agent observes the sale, and the second stands by as backup and to record the data about the context of the attempt and results. Any identification carried by youth must be valid. If the youth has identification on his or her person, the youth must provide the identification if asked by the clerk. If the clerk instead asks for the youth's age, the youth must advise the clerk of their correct age.

When attempts to purchase tobacco were successful, the agents issued citations and summons in accordance with the State of Louisiana Alcohol and Tobacco Control Law. OATC agents enter the information on laptop computers immediately following each inspection. This data is then forwarded to the Office for Addictive Disorders for verification and analysis. The figure below provides details about the inspection process.



Developing Database Entry Form. Prior to the FFY 2004 survey, the feasibility of laptop data entry of the sampled outlets was explored, initially with OATC staff officers, and then through a focus group with the regional supervisors. The two major reasons for moving to electronic data entry were to improve accuracy and timeliness of the survey results, and to reduce agent burden. There was unanimous support to develop an electronic data entry system from both OATC headquarters and the regional supervisors. Epi Info was used to create the beta-version data entry program, and headquarters staff, headquarters technical support, and supervisors tested the program. Minor revisions were made based on beta testing, and the final version of the form was used in the FFY 2004 survey. The state decided to use OmniForm for electronic forms in fall 2003, and we migrated our EpiInfo form to OmniForm for FFY 2005 data collection. The same form has been used since 2005, with additional store observations related to FDA advertising and labeling added in FY13. The database entry form is shown below.

The image displays a screenshot of the Louisiana Tobacco Retail Survey Form (SYNAR) within the OmniForm application. The form is titled "Louisiana Office of Alcohol & Tobacco Control" and "Compliance Check Program Tobacco Retail Survey Form". It includes fields for Date, Time, Parish, 10 Digit Permit Number, Retailer Name, Location Address, City, Zip code, and Ranking Agent #. The form is divided into several sections: "Type of Retailer" (Convenience Store, Grocery Store, Pharmacy / Drug Store, Restaurant/Cafe, Tobacco Store, Discount/Superstore, Other (specify)), "Disposition of Check" (Eligible and Complete, No Sale, Sale, Ineligible or Not Completed), "IF PURCHASE IS ATTEMPTED" (COMPLETE GRAY BOXES), "How Outlet Sells Tobacco" (Direct face to face exchange, Self-service display, Vending Machine), "Type of Tobacco Attempted" (Cigarettes, Cigar, Smokeless Tobacco, Cigar Pack), "Name of Item", "Price of Item", "Clerk Asked for ID?", "Salesclerk Gender", "Salesclerk Age", "Salesclerk Race", "Store Observation" (Warning signs posted, Vending machines present, Free samples of cigarettes, Self single cigarettes, Offer free samples of smokeless tobacco, Sell single cigarettes, Offer gifts in exchange for purchase of tobacco products, Sell flavored cigarettes (except menthals)), "Administrative Citation #", "Issuing Agent #", "Misdemeanor Summons #", "Issuing Agent #", "RVP Card #", "New Employee?", "Seller Name", "Seller DOB", "Regional Supervisor", "Phone", "Outlet has a new permit number", and "Comments".

Annotations on the right side of the form highlight the menu for "Select N Code or I Code". The menu is shown in two states: "Menu for 'Select N Code or I Code'" and "Menu Scrolled Down". The menu lists various codes and their descriptions, such as N1-In operation, but closed at time..., N2-Unsafe to access, N3-Presence of police, N4-Youth inspector knows salesp..., N5-Moved to new location but not..., N6-Drive thru only/youth inspector..., N7-Tobacco out of stock, N8-Run out of time, N9-Other noncompletion, I1-Out of business, I2-Does not sell tobacco products, I3-Inaccessible by youth, I4-Private club or private residence, I5-Temporary closure, I6-Unlocatable, N6-Drive thru only/youth inspector..., N7-Tobacco out of stock, N8-Run out of time, N9-Other noncompletion, I1-Out of business, I2-Does not sell tobacco products, I3-Inaccessible by youth, I4-Private club or private residence, I5-Temporary closure, I6-Unlocatable, I7-Wholesale only/Cartron sale only, I8-Vending machine broken, I9-Duplicate, and I10-Other ineligibility.

Data Collection Procedures. Information about software, process of entering data, compliance check procedures, tobacco purchase attempts, and compliance with Federal procedures is included below.

Data Collection Procedures

Software

- The Omni Form program will be used, with the new DHH Synar Survey Form.

Entering Data and Preventing Loss of Work

- The master list of outlets for your region includes all the outlets for your compliance checks.
- Use your copy of the master list to plan your compliance checks for the day.
- Enter the data for each compliance check to your form database.
- Backup each day's work and provide a copy to your regional supervisor.

Compliance Check Procedures

- Every outlet must have identifying information completed.
- If you attempt to purchase tobacco, you must complete the tobacco purchase section.
- If the outlet is not eligible, or you could not complete the compliance check, you must indicate the reason for ineligibility or non-completion.
- Indicate whether the permit number of the outlet differs from the master list.
- Add comments, if you wish.

Tobacco Purchase Attempts

- Restaurants with bars are included in tobacco purchase attempts.
- All tobacco purchase sections are completed for every purchase attempt, except the vending machines section, which is only completed for vending machine attempts.
- If the outlet has a vending machine, you must attempt to purchase at the vending machine.
 - The youth should ask for change to purchase cigarettes from the bartender or hostess.
 - The bartender or hostess gender, age, and race are entered in the salesclerk gender, age, race section.
 - Identify the vending machine characteristics in addition to everything else on the orange part of the form.

Compliance With Federal Procedures

- Use 15 or 16 year olds, aiming for a 50:50 balance.
- Use females and males, aiming for a 50:50 balance.
- Conduct compliance checks mornings, afternoons, and evenings, weekdays and weekends.

Monitoring Data Collection. Three layers of monitoring are developed to ensure accuracy of the data. Each agent checks the form before submitting the form to his/her supervisor. Then, the supervisor reviews the form before sending the form to ATC headquarters. Finally, the State Synar Coordinator reviews each form before sending to the Synar Principal Investigator.

Analytic Dataset. Variables in the analytic dataset are indicated below.

Analytic Dataset

General Information

- Date and time of inspection
- Permit number
- Retailer name
- Retailer Address
- Youth operative
- Gender and age of youth operative
- Adult agents
- Type of outlet

Disposition

- Disposition (ie eligible and complete, ineligible, not completed)
- Reason for ineligibility or non-completion (for ineligible or non-complete outlets)

Purchase Attempt

- How outlet sells tobacco
- Type of purchase attempt
- Type of tobacco attempted
- Name and price of tobacco purchased (for violations only)
- Whether the minor's identification was requested
- Gender, age, and race of sales clerk
- Posting of warning signs
- Characteristics of vending machines (for vending machine attempts only)
- Compliance with FDA regulations about advertising and labeling
- Citation number (for violations only)

APPENDIX D: LIST SAMPLING FRAME COVERAGE STUDY

(LIST FRAME ONLY)

State: Louisiana

FFY: 2013

1. Calendar year of the coverage study: 2011
2. a. Unweighted percent coverage found: 92.68%
b. Weighted percent coverage found: 92.80%
c. Number of outlets found through canvassing: 205
d. Number of outlets matched on the list frame: 190

3. a. Describe how areas were defined. (e.g., census tracts, counties, etc.)

All census tracts in Louisiana were included in the sampling frame for the coverage study.
No areas of the state were excluded from sampling.

- b. Were any areas of the State excluded from sampling? ☐ Yes ☒ No

If Yes, please explain.

4. Please answer the following questions about the selection of canvassing areas.

- a. Which category below best describes the sample design? (Check only one.)

☐ Census (Go to Question 6.)

Unstratified Statewide sample:

☐ Simple random sample (Respond to Part b.)

☐ Systematic random sample (Respond to Part b.)

☐ Single-stage cluster sample (Respond to Parts b and d.)

☐ Multistage cluster sample (Respond to Parts b and d.)

Stratified sample:

☒ Simple random sample (Respond to Parts b and c.)

☐ Systematic random sample (Respond to Parts b and c.)

☐ Single-stage cluster sample (Respond to Parts b, c, and d.)

☐ Multistage cluster sample (Respond to Parts b, c, and d.)

☐ Other (Please describe and respond to Part b.) _____

- b. Describe the sampling methods.

The coverage study used a stratified sampling technique with four strata created using a 4-category Rural Urban Commuting Area (RUCA version 2.0) classification of census tracts: urban core, sub-urban, large rural town, and small town/isolated rural.

Five census tracts were randomly selected from each stratum, resulting in a total of 20 census tracts in the coverage study.

We estimated 7-10 outlets per tract, with the coverage study yielding 140 – 200 outlets.

This sampling method resulted in a total of 205 outlets.

c. Provide a full description of the strata that were created.

A list of all census tracts for Louisiana was downloaded from Census Bureau website (N=1106).

A database of RUCA codes for Louisiana census tracts was downloaded from the United States Department of Agriculture Economic Research Service (2000 Rural-Urban Commuting Area Codes downloadable for each state)

Census tracts for Louisiana on the USDA list were confirmed by matching with the tracts from the census bureau (100% match).

A consolidated RUCA category variable was constructed from secondary codes allowing tracts to be classified into the four strata.

| RUCA (4 category) | Frequency | Percent |
|---------------------------|-----------|---------|
| Urban Core | 692 | 62.6 |
| Sub-Urban | 152 | 13.7 |
| Large Rural Town | 127 | 11.5 |
| Small Town/Isolated Rural | 135 | 12.2 |
| Total | 1106 | 100.0 |

d. Provide a full description of how clusters were formed.

5. Were borders of the selected areas clearly identified at the time of canvassing?

☒ Yes ☐ No

6. Were all sampled areas visited by canvassing teams?

☒ Yes (*Go to Question 7.*) ☐ No (*Respond to Parts a and b.*)

a. Was the subset of areas randomly chosen?

☐ Yes ☐ No

b. Describe how the subsample of visited areas was drawn. Include the number of

areas sampled and the number of areas canvassed.

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7. Were field observers provided with a detailed map of the canvassing areas?

☒ Yes ☐ No

If No, describe the canvassing instructions given to the field observers.

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8. Were field observers instructed to find all outlets in the assigned area?

☒ Yes ☐ No

If No, respond to Question 9.

If Yes, describe any instructions given to the field observers to ensure the entire area was canvassed, then go to Question 10.

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| Canvassing protocol: A map of each tract will be printed, with all roads highlighted and borders marked (using ArcGIS). The entire census tract will be fully canvassed. (every outlet accessible to youth will be attempted). The planned canvassing route will be clearly indicated on the map, and fieldwork may be completed by walking or driving the route, depending upon outlet density. When a road is a census tract boundary, canvassing will only be done on the side of the road that borders the tract. Tract-level field observations and local area data will be used to identify safety issues and common manner of dress. The fieldwork staff will attempt to enter and assess each youth accessible outlet in the tract. Each outlet will be attempted in the order indicated on the route, with no assumptions made about the likelihood of tobacco products in the outlet. Outlets that are temporarily closed on an initial attempt will be attempted a second time during the coverage study before being classified as incomplete. |
|--|

9. If a full canvassing was not conducted:

- a. How many predetermined outlets were to be observed in each area? _____
- b. What were the starting points for each area? _____
- c. Were these starting points randomly chosen? ☐ Yes ☐ No
- d. Describe the selection of the starting points.

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- e. Please describe the canvassing instructions given to the field observers, including predetermined routes.

10. Describe the process field observers used to determine if an outlet sold tobacco.

Fieldwork staff entered any property accessible to youth. Private property and adult public access outlets (i.e., bars, adult clubs, casinos) were not entered.

Fieldwork staff entered the property and asked the price of a pack of {insert brand of cigarettes}. The brand of cigarettes selected for the tract was the most common cigarette attempted for the area by ATC enforcement officers during the Synar survey in 2011.

If the outlet was closed, a second attempt was made to inspect the outlet.

11. Please provide the State’s definition of “matches” or “mismatches” to the Synar sampling frame? (i.e., address, business name, business license number, etc).

Outlet matching with the state Tobacco License list included the following categories: Identical match of name and address; approximate match with slight variations in name or address; and no match.

Of the 205 outlets, 183 were an identical match (89.3%), 7 were an approximate match (3.4%), and 15 did not match with the list (7.3%).

The 7 outlets that were an approximate match were researched. All 7 were deemed matches to the list, with 5 matches made due to a new owner changing the name of the outlet (i.e., Exxon changing to Circle K), and 2 matches made through minor differences in spelling (i.e., 3 Way One Stop vs. Three Way One Stop).

12. Provide the calculation of the weighted percent coverage (if applicable).

The weighted coverage rate will be calculated as shown below:

$$\frac{(\text{total number of matched outlets} * \text{sampling weight})}{(\text{total number of outlets} * \text{sampling weight})}$$

$$(\text{total number of outlets} * \text{sampling weight})$$

Sampling weight = the inverse of the selection probability

The table on the next page shows the calculations of unweighted and weighted rates

| tract number | stratum (RUCA category) | total number of tracts per stratum | number of tracts selected per stratum | weighting factor (total number of tracts/selected number of tracts) | number of outlets matched to list for tract | weighted match (weighting factor * number of matched outlets) | total number of outlets in tract | weighted total (weighting factor * number of outlets) |
|--------------------------|-------------------------|------------------------------------|---------------------------------------|---|---|---|----------------------------------|---|
| 1 | 1 | 692 | 5 | 138.40 | 19 | 2629.60 | 22 | 3044.80 |
| 2 | 1 | 692 | 5 | 138.40 | 20 | 2768.00 | 21 | 2906.40 |
| 3 | 1 | 692 | 5 | 138.40 | 18 | 2491.20 | 19 | 2629.60 |
| 4 | 1 | 692 | 5 | 138.40 | 0 | 0.00 | 0 | 0.00 |
| 5 | 1 | 692 | 5 | 138.40 | 9 | 1245.60 | 9 | 1245.60 |
| 6 | 2 | 152 | 5 | 30.40 | 8 | 243.20 | 8 | 243.20 |
| 7 | 2 | 152 | 5 | 30.40 | 1 | 30.40 | 2 | 60.80 |
| 8 | 2 | 152 | 5 | 30.40 | 3 | 91.20 | 5 | 152.00 |
| 9 | 2 | 152 | 5 | 30.40 | 3 | 91.20 | 4 | 121.60 |
| 10 | 2 | 152 | 5 | 30.40 | 19 | 577.60 | 19 | 577.60 |
| 11 | 3 | 127 | 5 | 25.40 | 39 | 990.60 | 42 | 1066.80 |
| 12 | 3 | 127 | 5 | 25.40 | 13 | 330.20 | 13 | 330.20 |
| 13 | 3 | 127 | 5 | 25.40 | 9 | 228.60 | 10 | 254.00 |
| 14 | 3 | 127 | 5 | 25.40 | 2 | 50.80 | 2 | 50.80 |
| 15 | 3 | 127 | 5 | 25.40 | 3 | 76.20 | 3 | 76.20 |
| 16 | 4 | 135 | 5 | 27.00 | 15 | 405.00 | 15 | 405.00 |
| 17 | 4 | 135 | 5 | 27.00 | 4 | 108.00 | 4 | 108.00 |
| 18 | 4 | 135 | 5 | 27.00 | 2 | 54.00 | 3 | 81.00 |
| 19 | 4 | 135 | 5 | 27.00 | 2 | 54.00 | 3 | 81.00 |
| 20 | 4 | 135 | 5 | 27.00 | 1 | 27.00 | 1 | 27.00 |
| | | | | | 190 | 12492.40 | 205 | 13461.60 |
| | | | | | | | | |
| Unweighted Coverage Rate | | 92.68 | | | | | | |
| Weighted Coverage Rate | | 92.80 | | | | | | |